

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
CASE NO. 1:14-CV-954**

STUDENTS FOR FAIR ADMISSIONS, )  
INC., )  
Plaintiffs, )  
v. )  
THE UNIVERSITY OF NORTH )  
CAROLINA AT CHAPEL HILL, et al., )  
Defendants. )  
and )  
LUIS ACOSTA, et al., )  
Defendant-Intervenors. )  
JOINT STIPULATION AND  
MOTION TO PERMIT  
DEFENDANT-INTERVENORS  
ACCESS TO CERTAIN  
CONFIDENTIAL INFORMATION

**JOINT STIPULATION AND MOTION  
TO PERMIT DEFENDANT-INTERVENORS  
ACCESS TO CERTAIN CONFIDENTIAL INFORMATION**

Defendants The University of North Carolina at Chapel Hill, et al. and the Defendant-Intervenors respectfully request that the Court grant this motion and enter a Stipulation allowing the Intervenors access to certain and limited confidential information on an attorneys' eyes only basis.

On January 13, 2017, the Court granted the Intervenors permission to participate in discovery and to present evidence on “the following two issues: (a) the history of segregation and discrimination at UNC-Chapel Hill and in North Carolina; and (b) the effect of UNC-Chapel Hill’s existing, and SFFA’s proposed, admissions processes on the critical mass of diverse students at UNC-Chapel Hill.” (Dkt. 79 at 14.) The Court also ordered that

the Intervenors “will not be permitted access to any confidential information that may be produced in discovery between the parties.”

On January 12, 2018, the parties served affirmative expert reports. Certain of these expert reports, including the reports served by Plaintiff Students for Fair Admissions as well as certain of Defendants’ expert reports, contain and/or rely upon information designated confidential by Defendants pursuant to the Amended Confidentiality and Protective Order (Dkt. 61 (“Protective Order”)). As a result, Intervenors were not served with copies of these expert reports.

Because the information was designated confidential by Defendants, counsel for Defendants and Intervenors have met and conferred regarding this topic and stipulate and agree that counsel for the Intervenors should be allowed to review the January 12, 2018 expert reports submitted in this matter on an attorneys’ eyes only basis. This review will enable Intervenors to assess whether any rebuttal expert testimony on the two topics on which the Court permitted intervention is warranted. Should Intervenors determine that such rebuttal expert testimony is warranted, they will be allowed to share such confidential information with any expert retained by them to draft any such rebuttal testimony, subject to the same restrictions set forth in the Protective Order. (Protective Order § 4.2.5.) Plaintiff takes no position on this motion.

Accordingly, Defendants and Intervenors jointly respectfully request that the Court enter the proposed Stipulation, attached hereto as Exhibit 1.

Respectfully submitted this 30th day of January, 2018.

/s/ Laura Gatzambide-Arandes

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 30, 2018, I filed a true and correct copy of the foregoing JOINT STIPULATION AND MOTION TO PERMIT DEFENDANT-INTERVENORS ACCESS TO CERTAIN CONFIDENTIAL INFORMATION with the Clerk of Court using the CM/ECF system.

/s/ Lara Flath  
Lara Flath